

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED: _____
	:	
ROBERT MOORE, III	:	VIOLATIONS:
	:	18 U.S.C. § 924(a)(1)(A)(false statements
	:	to federally-licensed firearms dealer -
	:	2 counts)
	:	18 U.S.C. §§ 922(a)(1)(A) and
	:	924(a)(1)(D)(engaging in the business of
	:	dealing in firearms without a license -
	:	1 count)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE AND TWO

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Mike and Kate’s Sport Shoppe and C & C Sports Center, each located in Philadelphia, Pennsylvania, possessed a federal firearms license (“FFL”) and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearms Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of

perjury, that he or she was the “actual buyer” of the firearm. The Forms 4473 in effect at the times relevant to this indictment contained a provision explaining what it meant to be an actual buyer, as opposed to a “straw purchaser,” that is, someone falsely posing as an actual buyer.

3. FFLs are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

4. On or about the date listed below, in the Eastern District of Pennsylvania, defendant

ROBERT MOORE, III,

in connection with the acquisition of each of the firearms listed below from the FFL holders listed below, knowingly a made false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holders’ records, in that defendant **MOORE** certified on the Form 4473 that he was the actual buyer of the firearm, when in fact, as defendant knew, another individual known to the grand jury was the actual buyer.

Count	Date	FFL	Firearm	Serial Number
1	12/11/01	Mike & Kate’s Sport Shoppe, Philadelphia, PA	Ruger 9 mm semiautomatic pistol	31493812
2	12/11/01	C & C Sports Center, Philadelphia, PA	Intratec 9 mm semiautomatic pistol	A006776

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs One through Three of Counts One and Two are realleged here.
2. During 2001, 2002, and 2003, defendant **ROBERT MOORE, III** sold, for profit, the guns that are the subject of Counts One and Two, as well as at least five other firearms, to individuals known and unknown to the grand jury.
3. At all times material to this indictment, defendant **ROBERT MOORE, III** was not licensed to sell firearms.
4. From at least in or about May 2001, through in or about March 2003, in the Eastern District of Pennsylvania, defendant

ROBERT MOORE, III

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(A), set forth in this indictment, defendant

ROBERT MOORE, III

shall forfeit to the United States of America all firearms and ammunition involved in the commission of such offenses, including, but not limited to:

1. Smith & Wesson 9mm semiautomatic pistol, Serial No. PBA3913;
2. Taurus .38 caliber revolver, Serial No. UF18072;
3. Ruger 9mm semiautomatic pistol, Serial No. 31493812;
4. Intratec 9mm semiautomatic pistol, Serial No. A006776;
5. Taurus 9mm semiautomatic pistol, Serial No. TUK10418;
6. Taurus .45 caliber revolver, Serial No. VH973514; and
7. AMT .40 caliber semiautomatic pistol, Serial No. DLB03539.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY